

EXHIBIT 12

1 QUINN EMANUEL URQUHART & SULLIVAN, LLP

Claude M. Stern (Bar No. 96737)

2 claudestern@quinnemanuel.com

Evette D. Pennypacker (Bar No. 203515)

3 evettepennypacker@quinnemanuel.com

Michael F. LaFond (Bar No. 303131)

4 michaellafond@quinnemanuel.com

555 Twin Dolphin Dr., 5th Fl.

5 Redwood Shores, California 94065

Telephone: (650) 801-5000

6 Facsimile: (650) 801-5100

7 Derek J. Tang (Bar No. 296230)

derektang@quinnemanuel.com

8 50 California St., 22nd Fl.

San Francisco, California 94111

9 Telephone: (415) 875-6600

Facsimile: (415) 875-6700

10 Attorneys for uCool, Inc.

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13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15 SAN FRANCISCO DIVISION

16 Blizzard Entertainment, Inc. and Valve
17 Corporation,

18 Plaintiff,

19 vs.

20 uCool, Inc. and uCool Ltd.

21 Defendant.

CASE NO. 3:15-cv-04084-CRB

**DEFENDANT UCOOL, INC.'S
RESPONSES TO PLAINTIFF BLIZZARD,
ENTERTAINMENT INC. AND VALVE
CORPORATION'S FIRST AND SECOND
SETS OF REQUESTS FOR
PRODUCTION (Nos. 1-45)**

**Courtroom: 6, 17th Floor
Judge: The Hon. Charles R. Breyer**

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REQUEST FOR PRODUCTION NO. 14:

A copy of each and every version of HEROES CHARGE, including alpha and beta versions of the game software, for any platform.

RESPONSE TO REQUEST FOR PRODUCTION NO. 14:

uCool objects to this Request as overbroad as Plaintiffs have not accused the entirety of Heroes Charge of copyright infringement. uCool further objects to this Request to the extent that it seeks copies of software which were never distributed to the public or offered commercially, and therefore cannot form an actionable basis for copyright infringement, including under the doctrine of fair use. uCool further objects to the extent that this Request seeks the production of documents that are not in uCool's possession, custody, and control in view of uCool's status as the publisher of Heroes Charge. uCool further objects as Plaintiffs have affirmatively represented that source code is not at issue in this case and this Request seeks the production of source code. uCool

1 further objects to this Request to the extent that it seeks the production of documents protected by
2 attorney client privilege, work product privilege, or any other applicable privilege.

3 uCool will grant Plaintiffs access to all player-facing aspects of the playable version of
4 Heroes Charge and will produce the art assets from prior versions of Heroes Charge which are
5 currently within uCool's possession, custody, and control.

1 course of a mediation). Accordingly, uCool believes that documents responsive to Request No. 45
2 are privileged and non-discoverable.

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5 DATED: January 25, 2016

QUINN EMANUEL URQUHART &
SULLIVAN, LLP

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7 By: /s/ Evette D. Pennypacker

8 Claude M. Stern

9 Evette D. Pennypacker

10 Attorneys for uCool, Inc.